

Judge Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) NO. CR05-0133Z
Plaintiff,)
v.) ORDER
CHRISTOPHER W. McINTOSH,)
Defendant.)

The Court having conducted a hearing on June 2, 2005, at which Defendant, CHRISTOPHER W. McINTOSH, defense counsel, Stephan R. Illa, and Government counsel, Andrew C. Friedman, were present;

THE COURT FINDS that, based upon McINTOSH's request for new counsel, on May 17, 2005, the Court entered an Order providing for the appointment of substitute counsel to represent McINTOSH;

THE COURT FURTHER FINDS that the Court subsequently appointed Stephan R. Illa to represent McINTOSH in this case;

THE COURT FURTHER FINDS that this is a factually-complicated case in which the Government's evidence includes at least two forms of scientific evidence, namely fingerprint evidence and DNA evidence;

THE COURT FURTHER FINDS that defense counsel will require several months in order to adequately investigate the case, and in particular the Government's scientific evidence, and to effectively represent Defendant;

THE COURT FURTHER FINDS that McINTOSH understands his speedy-trial rights and agreed orally to waive those rights and to continue the trial in this case until October 11, 2005, in order to allow defense counsel time to prepare; and

THE COURT FURTHER FINDS, pursuant to 18 U.S.C. § 3161(h)(8)(A), that the ends of justice served by continuing the trial in this case outweigh the interest of the public and of the Defendant in a more speedy trial.

IT IS THEREFORE ORDERED that trial in this case be scheduled for October 11, 2005;

IT IS FURTHER ORDERED that all pre-trial motions in this case be filed by August 12, 2005, and that all responses to such motions be filed by August 26, 2005; and

IT IS FURTHER ORDERED that the time from June 2, 2005, until October 11, 2005, be excludable time under 18 U.S.C. § 3161(h)(8)(A).

DONE this 17th day of June, 2005.

Thomas S Zilly
Thomas S. Zilly
United States District Judge

Presented by:

/s/ Andrew C. Friedman
ANDREW C. FRIEDMAN
Assistant United States Attorney

/s/Stephan R. Illa
STEPHAN R. ILLA
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